



SIDEWALK PROGRAM PROCESS

PURPOSE & GOAL:

To improve pedestrian walkability by creating a safer walking environment, utilizing selected engineering technologies, and ensuring Americans with Disabilities Act of 1990 (ADA) compliance. The sidewalks that are funded under this program are relatively simple in nature to construct and do not require an engineering design.

1. Sidewalk Installation Request Received & Field Study Scheduled.

The program's proposals are generated by requests received from residents or Homeowner's / Civic Associations. Once received, the request is entered into the Sidewalk Program database and a Field Investigation scheduled to determine the constructability of the request. The field investigation will answer the following questions:

- Is there available public right of way?
- Can the sidewalk be constructed without an engineered design?
- Do associated costs fall within the program's criteria?

Sidewalk Request Link:

<https://www.montgomerycountymd.gov/dot-dte/forms/sidewalk.html>

2. Field Study Complete/Work Falls Within Scope of Sidewalk Program.

The Sidewalk Program manages sidewalk requests by feasibility and constructability. Once the field study is complete and the request determined feasible, it will be placed in our queue to await selection for sidewalk proposal.

3. Proposal & First Comment Period.

Once a sidewalk request reaches the top of our queue and is selected for proposal, the proposal will be drafted and mailed to all residents adjacent to and across the street from the County's impacted Public Right of Way. The proposal will include:

- Letter introducing the project;
- Project Vicinity Map;
- Potential construction impacts;
- Tree impact report;
- Comment Form;
- This Process & FAQ Leaflet.

Receipt of the proposal initiates the first comment period, wherein we encourage residents to provide their feedback and ask any questions they may have. All comments are posted in our project file and on the Record.

Also during this period, residents adjacent to the impacted Public Right of Way are welcome to **request a field meeting** on site with our Construction Representative, Juan Berrios, by emailing him at

Juan.Berrios@montgomerycountymd.gov.

Members of the community who did not receive a proposal are welcome to request one and to be put on our project mailing list.

4. Public Hearing. Following the first comment period, a public hearing may be scheduled for residents to testify in front of a hearing officer regarding the proposal. Once scheduled, notice will be sent to all residents on our mailing list. Due to COVID-19, the Sidewalk Program will hold a virtual hearing. Whether virtual or in person, several displays and exhibits will be available for review or download. Testimony may be submitted verbally at the hearing, in writing or both. Please note, **written testimony carries the same weight as oral testimony**. Residents may request copies of the Hearing Record, the transcript of the hearing and the recording of the virtual hearing.

5. Final Comment Period. Following the public hearing, a 2-week final comment period will be held to allow residents to submit final comments. The due date for all final comments will be announced at the public hearing.

6. Decision. After the final comment period ends, the Hearing Officer will review the complete Record, which will include all displays, exhibits, comments, written testimony, and the transcript of the hearing. Thereafter, the Hearing Officer will draft his Recommendations and forward them with the Record to MCDOT's Director, Christopher Conklin, who will make the final determination.

In addition to his complete review of the Record including all comments and testimony, Director Conklin considers the following:

- Do the proposed sidewalks connect to pre-existing sidewalks or networks of sidewalk?
- Will the new sidewalk provide safer access to public transportation, schools, bus stops, parks, religious institutions or other amenities?
- Will the new sidewalk(s) meet a purpose?

Upon receipt of the decision, the Sidewalk Program will send notifying correspondence to all that are on the project mailing list. Because the process of the Sidewalk Program includes two comment periods and a public hearing, there is no appeal process. If approved, and once a construction date has been set, the Sidewalk Program will send a construction leaflet describing in detail the construction process with a description and pictures of each stage of construction. Immediately before construction, notices will be posted on-site. An on-site construction inspector will be available throughout construction to address any concerns that may arise.

If you have any questions, please contact Lori Jean Main, Planning Specialist at 240-777-7271 or lori.main@montgomerycountymd.gov.



MONTGOMERY COUNTY, MARYLAND

DEPARTMENT OF TRANSPORTATION

DIVISION of TRANSPORTATION ENGINEERING

100 EDISON PARK DRIVE, 4TH FLOOR, GAITHERSBURG, MD 20878

240-777-7220

www.montgomerycountymd.gov/dot-dte/sidewalk

KEEPING MONTGOMERY MOVING

MC DOT
Montgomery County
Department of Transportation



FREQUENTLY ASKED QUESTIONS

Who can request a sidewalk?

A sidewalk request can originate from an individual, elected official or an association.

Are residents responsible for snow and ice removal in inclement weather?

Yes, residents are responsible for removing snow and ice on any sidewalk, other walkway on or adjacent to property that the person owns, leases, or manages, including any walkway in the public right-of-way, to provide a pathway wide enough for safe pedestrian and wheelchair use within 24 hours *after* the end of the precipitation that caused the condition. Residents may choose to wait to remove the snow and ice until after the road has been plowed so as not to duplicate efforts.

Is there any additional cost or property tax assessment with the installation of a new sidewalk?

No. There are no assessments or costs to the property owner when a new sidewalk is installed. Further, statistically, sidewalks have been shown to raise property values due to the safety and connectivity the sidewalks add to your community.

Is installation of a sidewalk contingent upon approval of the adjacent property owners?

No. The decision is made based on public use and need for the community-at-large.

How will the sidewalk be constructed in relation to rainwater drainage issues?

Sidewalks are typically constructed in one of two ways:

- 1) The sidewalk will be constructed between the swale and road at a 2% pitch so that the rainwater will flow into the swale; or
- 2) The culvert pipe at the driveway apron may be replaced if damaged. A drainage pipe may be placed in the swale and back-filled, if needed. The sidewalk will be constructed over the backfilled area at a 2% pitch to direct the rainwater away from private property.

In some cases, the swale may need to be realigned or adjusted. If you have a concern regarding standing water or existing drainage issues along the proposed area, please inform the Sidewalk Program so that reparations can be coordinated if the sidewalk is approved and constructed.

Why does the sidewalk have to be 5-ft-wide?

The State of Maryland has adopted the width of 5 feet for all new sidewalks based on the Americans with Disabilities (ADA) recommendations and guidelines. Montgomery County follows the State of Maryland design standards.

What will happen to my mailbox?

All mailboxes are removed and reinstalled the same day as the sidewalk is constructed. In some locations, field conditions do not allow enough space for the mailbox to be installed with the mailbox's door facing the road. In this instance, the mailbox will be installed parallel to the roadway, with the door to the mailbox facing your driveway.

What is the Sidewalk Program's Budget?

The Sidewalk Program is an ongoing Capital Improvement Project. Please visit the Office of Management & Budget's website for current annual funding figures: <https://apps.montgomerycountymd.gov/BASISCAPITAL/Common/Project.aspx?ID=P506747&CID=3&SCID=8>

Does the Sidewalk Program repair and maintain sidewalks?

No, repairs and maintenance of sidewalks are the responsibility of the Division of Highway Services. If you would like to request that a sidewalk be repaired, please contact Montgomery County's 311 and request that a service ticket be opened with the Division of Highway Services. You can reach Montgomery County's 311 by dialing 311 from any phone in the County or, outside of the County, by dialing 240-777-0311.

Does the Sidewalk Program install curbs and gutters?

The installation of curb and gutter is the responsibility of the Division of Highway Services, who can be reached via Montgomery County's 311. You can reach Montgomery County's 311 by dialing 311 from any phone in the County or, outside of the County, by dialing 240-777-0311. If adjustments to the existing curb and gutter are to be made with the potential sidewalk installation, such adjustments will be described in the Construction Impacts sent with the sidewalk proposal.

SIDEWALK PROGRAM

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Sidewalk Request Link: <https://www.montgomerycountymd.gov/dot-dte/forms/sidewalk.html>